

EDWARD RONWIN,)	
)	
Plaintiff,)	
)	
vs.)	Case No. 4:07CV1536 CDP
)	
AMEREN, et al.,)	
)	
Defendants.)	

Plaintiff Ronwin sent a letter asking for direction in serving subpoenas on witnesses for trial. The letter was not submitted as a motion, but I will consider it a motion requesting the court to serve subpoenas under 28 U.S.C. § 1915 or Local Rule 2.06(C). Under Local Rule 2.06(C), pro se litigants proceeding in forma pauperis must file a written request for the issuance of any witness subpoenas, setting forth the name and address of each witness for whom a subpoena is sought, along with a brief summary of the substance of the witness' anticipated testimony. While Ronwin is not proceeding in forma pauperis, under the rule I may impose this requirement on pro se litigants not proceeding in forma pauperis. I choose to impose such a requirement here.

I will impose the requirements of Local Rule 2.06(C), and Ronwin must provide, along with the names and addresses already provided, a brief summary of


the substance of the witness' anticipated testimony. Once I have received this information, Ronwin must proceed under Rule 45 of the Federal Rules of Civil Procedure. He will request from the clerk a signed, but otherwise blank, subpoena for each witness, which he must then complete and give to someone qualified under Rule 45(b)(1) to effectuate service. Under Rule 45(b)(1), any person who is at least 18 years old and not a party may serve a subpoena. Serving a subpoena requires delivering a copy to the named person and, if the subpoena requires that person's attendance, tendering the fees for one day's attendance and the mileage allowed by law. These statutory witness fees are set out in 28 USC §1821(b)(c). Ronwin must follow the service procedures set out in Federal Rule of Civil Procedure 4(e) and may not simply mail a copy of the summons to the attorney representing each person named. Ronwin must pay all costs associated with serving the subpoenas.

Accordingly,

IT IS HEREBY ORDERED that plaintiff's motion requesting the court to serve subpoenas [#101] is denied.

IT IS FURTHER ORDERED that plaintiff shall submit to the court, within ten (10) days of this order, a written summary of the substance of the witness' anticipated testimony. Plaintiff shall also include a request to the clerk to issue blank subpoenas under Federal Rule of Civil Procedure 45(a)(3). Once I

have received this summary, I will determine whether to direct the clerk to issue subpoenas to plaintiff, who must then follow Rules 45 and 4(e) and properly serve the subpoenas on the witnesses at his own expense.



CATHERINE D. PERRY
UNITED STATES DISTRICT JUDGE

Dated this 24th day of February, 2009.